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C O N F I D E N T I A L OTTAWA 002068

SIPDIS

STATE FOR EB/TRA, WHA/CAN, INR, DS, CA
PASS TSA FOR JOHN SHKOR, SUSAN WILLIAMS, VIC MCCLELLAN
PASS FBI FOR ALEXIS SMOLLOK
PASS DHS/CBP FOR ROBERT BONNER
PASS WHITE HOUSE FOR HOMELAND SECURITY COUNCIL - CHRIS
HORN BARGER

E.O. 12958: DECL: 07/04/2008

TAGS: EAIR PTER CA

SUBJECT: QUESTIONS ON THE "NO FLY" LIST

REF: 02 OTTAWA 3271

Classified By: Classified by Minister Counselor for Economic Affairs Michael F. Gallagher for reasons 1.5 (c),(f),(g).

¶1. (U) This is an action request; see para 4.

¶2. (C) Post continues to seek information about the TSA "no-fly list (ref. a)." Our understanding from discussions with TSA is that there is a written policy on the no-fly list that describes, among other things, information that is to be shared with foreign governments, and with U.S. and foreign air carriers. We also understand that TSA provides the no-fly list itself to air carriers worldwide, to certain Canadian government officials, and to certain U.S. agencies.

¶3. (C) Several agencies at post deal regularly with Canadian officials on matters related to terrorism and aviation security policy and operations. In addition, the Department of Homeland Security Bureau of Customs and Border Protection (DHS/CBP) has approximately 400 inspectors serving as preclearance officers at seven Canadian airports. Preclearance inspectors have observed that, on occasion, names that are on the no-fly list have not been found in the Treasury Enforcement Communications System (TECS) widely used by DHS/CBP inspectors.

¶4. (C) Action Requests: Please provide the policy on the no-fly list. We also request that no-fly lists be made available on a regular and timely basis to DHS/CBP inspectors and other appropriate USG personnel at the Embassy and other locations in Canada.

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